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January 17, 2007

**BY HAND DELIVERY
AND ELECTRONIC FILING**

The Honorable Mary Pat Thyng
United States Magistrate Judge
United States District Court
J. Caleb Boggs Federal Building
844 North King Street, Room 6100
Wilmington, DE 19801

Re: *Michael G. Syracuse v. Orion Refining Corp. (In re Orion
Refining Corp., C.A. No. 06-536 (UNA))*

Dear Magistrate Judge Thyng:

Enclosed please find the parties' proposed Stipulation and Order Establishing Appellate Briefing Schedule, which memorializes the parties' agreement concerning a briefing schedule for the above-referenced bankruptcy appeal, as conveyed to the Court on January 12, 2007.

Respectfully yours,



Gregory W. Werkheiser

cc: Michael R. Lastowski, Esquire
Christopher M. Winter, Esquire
Andrew C. Wilson, Esquire
Edward S. Rapier, Jr., Esquire
Richard D. Allen, Esquire
Thomas W. Briggs, Jr., Esquire

551159

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE:

ORION REFINING CORPORATION,

Debtor.

MICHAEL G. SYRACUSE d/b/a
INTERSTATE SUPPLY COMPANY, and
TEXAS ICO, INC.,

Plaintiffs,

v.

ORION REFINING CORPORATION,

Defendant.

Chapter 11

Case No. 03-11483 (MFW)

Adv. Proc. No. 03-53939
(MFW)

C.A. No. 06-536 (UNA)

**STIPULATION AND ORDER
ESTABLISHING APPELLATE BRIEFING SCHEDULE**


Appellant Michael G. Syracuse d/b/a Interstate Supply Company and Texas ICO, Inc. ("Syracuse") and Appellee Cypress Associates, LLC, as the trustee of the ORC Distribution Trust (the "ORC Representative"), by and through their respective undersigned counsel, hereby stipulate and agree, subject to the approval of the Court, as follows:

1. Syracuse shall file and serve his opening brief on or before February 26, 2007.

2. The ORC Representative shall file and serve its answering brief within 30 days after service of Syracuse's opening brief.

3. Syracuse shall file and serve his reply brief within 20 days after service of the ORC Representative's answering brief.

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Counsel for Cypress Associates,
LLC, as ORC Distribution Trust
Representative

SO ORDERED
this _____ day of _____

The Honorable Mary Pat Thyng
United States Magistrate Judge